



**US Army Corps
of Engineers.**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435
www.mvk.usace.army.mil



Public Notice

APPLICATION NO.:	KNG-MVK-2002-207
EVALUATOR:	Kaaren Geter
PHONE NO.:	(601) 631-5162
FAX NO.:	(601) 631-5459
E-MAIL:	regulatory@mvk02.usace.army.mil
DATE:	February 2, 2006
EXPIRATION DATE:	February 23, 2006

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Mississippi Department of Environmental Quality, Office of Environmental Services are considering an application for a Department of the Army permit and State water quality certification for the work described herein. Comments should be forwarded to the Vicksburg District, ATTN: CEMVK-OD-F, at the above address and the Mississippi Department of Environmental Quality, Office of Environmental Services, Post Office Box 10385, Jackson, Mississippi 39289-0385, and must reach these offices by the cited expiration date.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:
Mr. Ray Harrigill
Sunray Companies
137 Executive Drive
Suite G
Madison, Mississippi 39110

Name of Agent:
J. Clay Cromwell
Wildlife Technical
Services, Incorporated
Post Office 820188
Vicksburg, Mississippi
39182-0188

Location of Work: Section 36, T8N-R1E, and Section 31, T8N-R2E, UTM 15 3598984N 768193R, within the Lower Big Black River drainage basin, Madison County, northwest of Madison, Mississippi.

Description of Work: (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit to place fill material into wetlands and other waters of the United States associated with construction of a residential subdivision, streets, utilities, and a lake.

The project site consists of 130 acres, of which 0.52 acre is wetlands and 4,894 linear feet (1.43 acres) are other waters of the United States. Other waters located on-site consist of the perennial stream, Bear Creek (3,491 linear feet), and three unnamed intermittent tributaries of Bear Creek (1,403 linear feet). Vegetation located in the on-site wetlands consists of black willow, green ash, and elm. The stream banks are upland and vegetation consists of eastern red cedar, water oak, honey locust, and sugar berry.

The applicant has proposed to develop a residential subdivision that would include 143 residential house lots, streets, utilities, and a lake. Construction of the lake would include construction of a dam and excavation of approximately 18.6 acres within Bear Creek. The applicant proposes that the lake site would also provide flood storage capability for the proposed development.

On-site wetlands would be mechanically excavated and inundated during the creation of the lake. Approximately 400,000 cubic yards of material would be excavated to create the proposed lake. All excavated material would be used on-site for construction of the proposed development. Approximately 1,935 cubic yards of this excavated material would be used to fill two on-site intermittent streams. One intermittent tributary would be piped. The intermittent tributary to be piped is located on the north central portion of the site. Currently, storm water flows from an off-site intermittent tributary located north of the project site, through four elliptical culverts (51 inches in width x 31 inches in height) located under Reunion Parkway Road, and empties into the on-site intermittent tributary. The applicant proposes to pipe 560 feet of the on-site intermittent tributary from the existing culverts to the proposed lake. The proposed pipe structure would consist of four elliptical pipes of similar height and width to the existing culverts.

The applicant has proposed to mitigate for project impacts through restoration of 4.0 acres of bottomland hardwood wetlands on the Tillotson Enterprise, Inc. property, located in section 33, T16N-R5E, within the Big Black River basin, in Warren County, Mississippi. Green ash, cow oak, overcup oak, water oak, shumard oak, and willow oak would be planted around the January 2007 planting season. The species would be planted on a 12' x 12'

spacing, yielding approximately 302 free-to-grow seedlings per acre. The site would be monitored to ensure the survival of an average of 100 trees per acres for a period of five years. A mitigation covenant would be placed on the mitigation area as per the existing U.S. Army Corps of Engineers guidelines and regulations.

The placement of dredged and/or fill material in waters of the United States associated with the mechanized land clearing and levee construction requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: An initial review indicates that the proposed project would not affect any of the sites in Madison County listed in the National Register of Historic Places. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, the Corps archaeologists, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

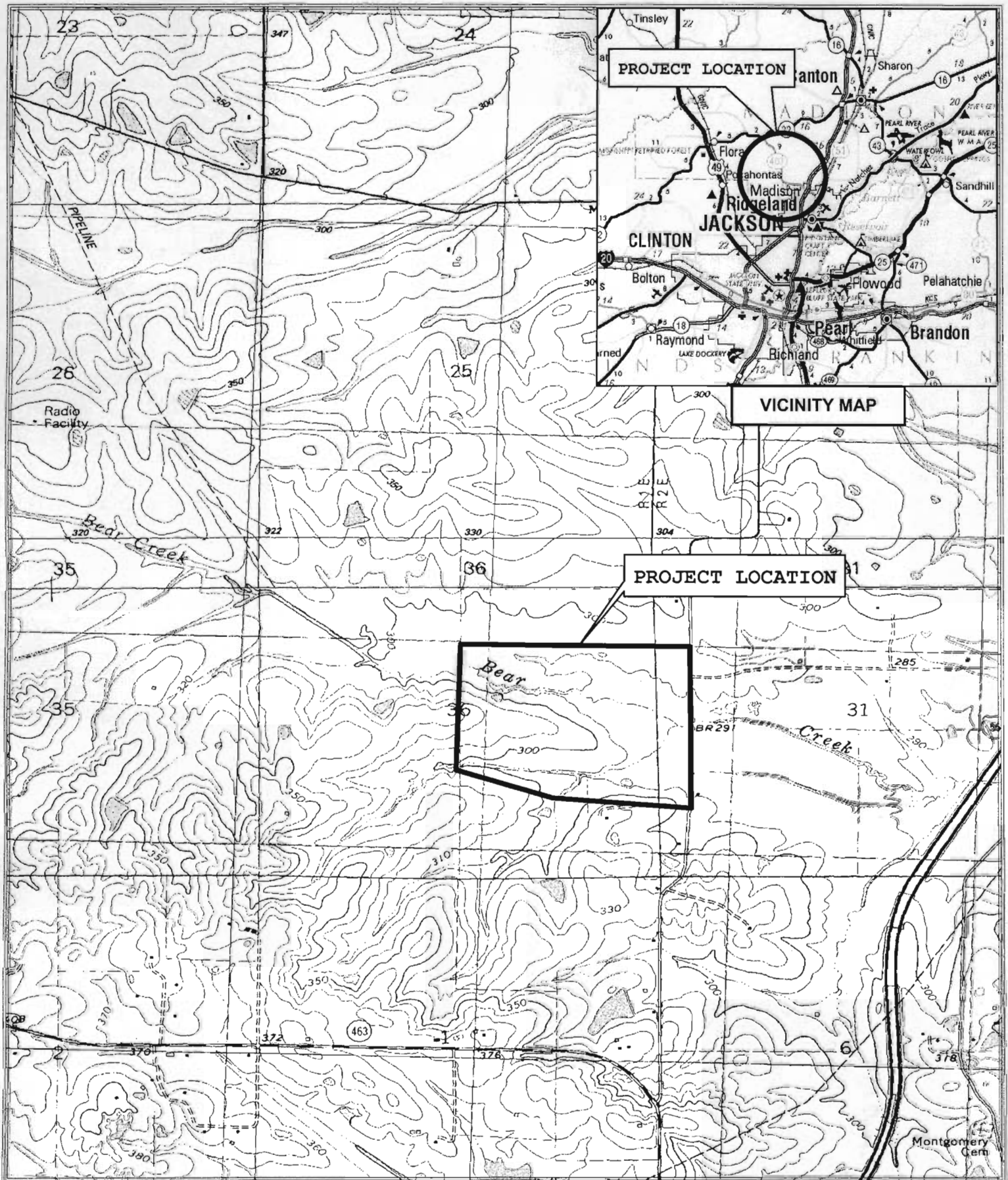
Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.

W. Harold Lee
Team Leader
Evaluation Section

BELLAMARE RESIDENTIAL DEVELOPMENT



RIDGELAND/MADISON QUADS

1:24,000

0 0.25 0.5 1 Miles



CEMVK-OD-FE KNG-MVK-2002-207

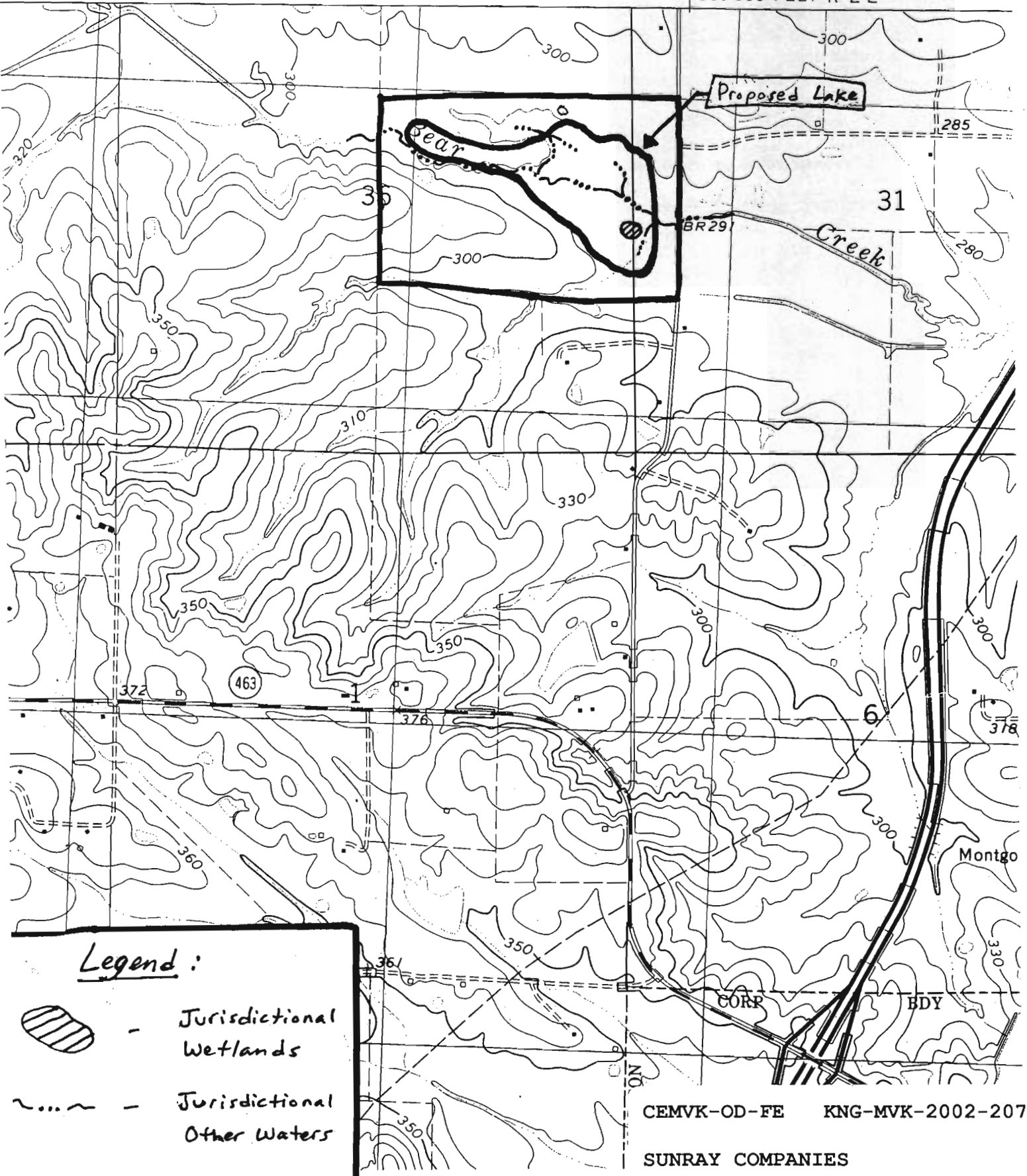
MR. RAY HARRIGILL
SUNRAY COMPANIES

RIDGELAND QUADRANG
MISSISSIPPI
7.5 MINUTE SERIES (TOPOGRA

767

R 1 E

560 000 FEET R 2 E



Legend :



- Jurisdictional
Wetlands

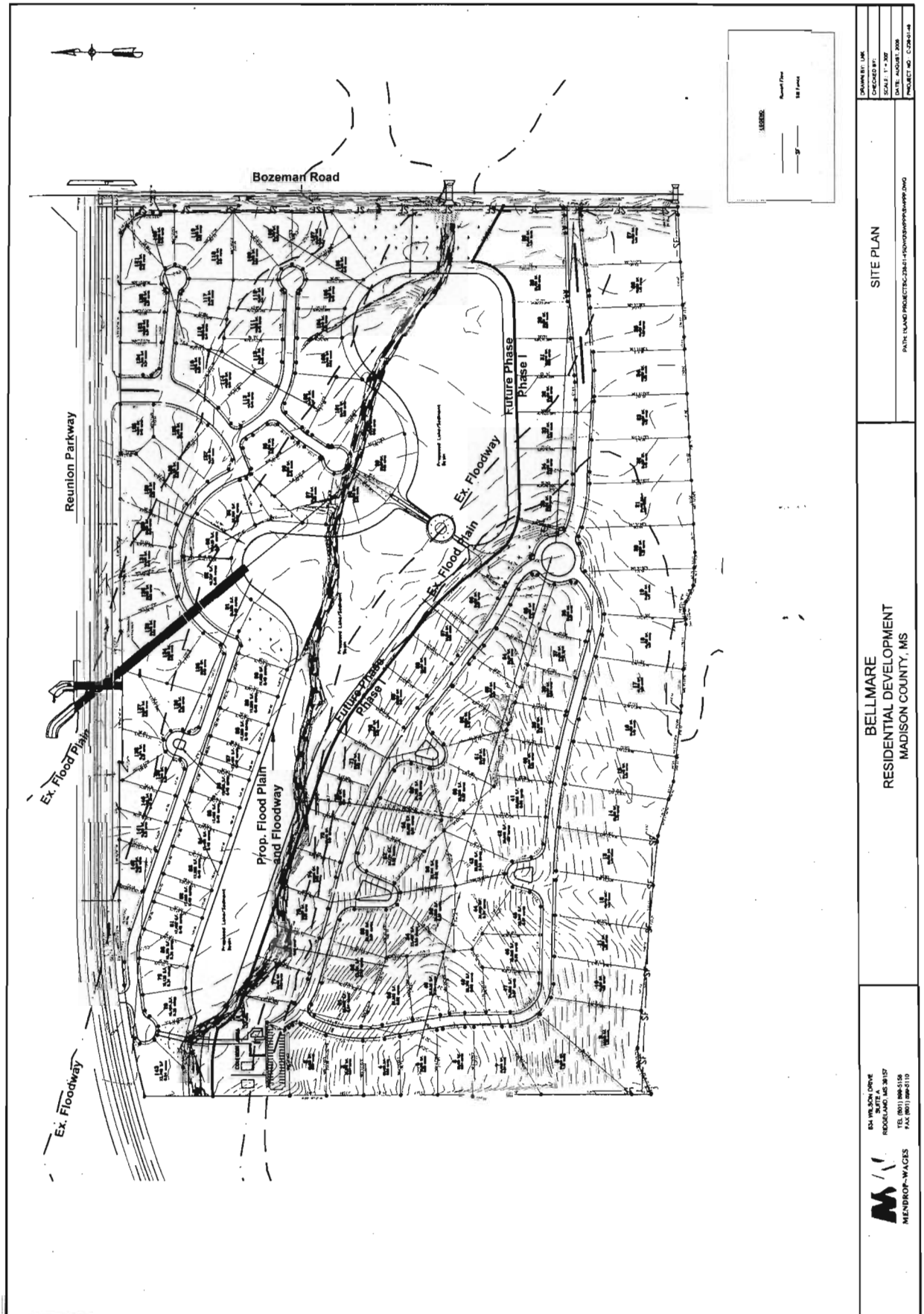


- Jurisdictional
Other Waters

CEMVK-OD-FE

KNG-MVK-2002-207

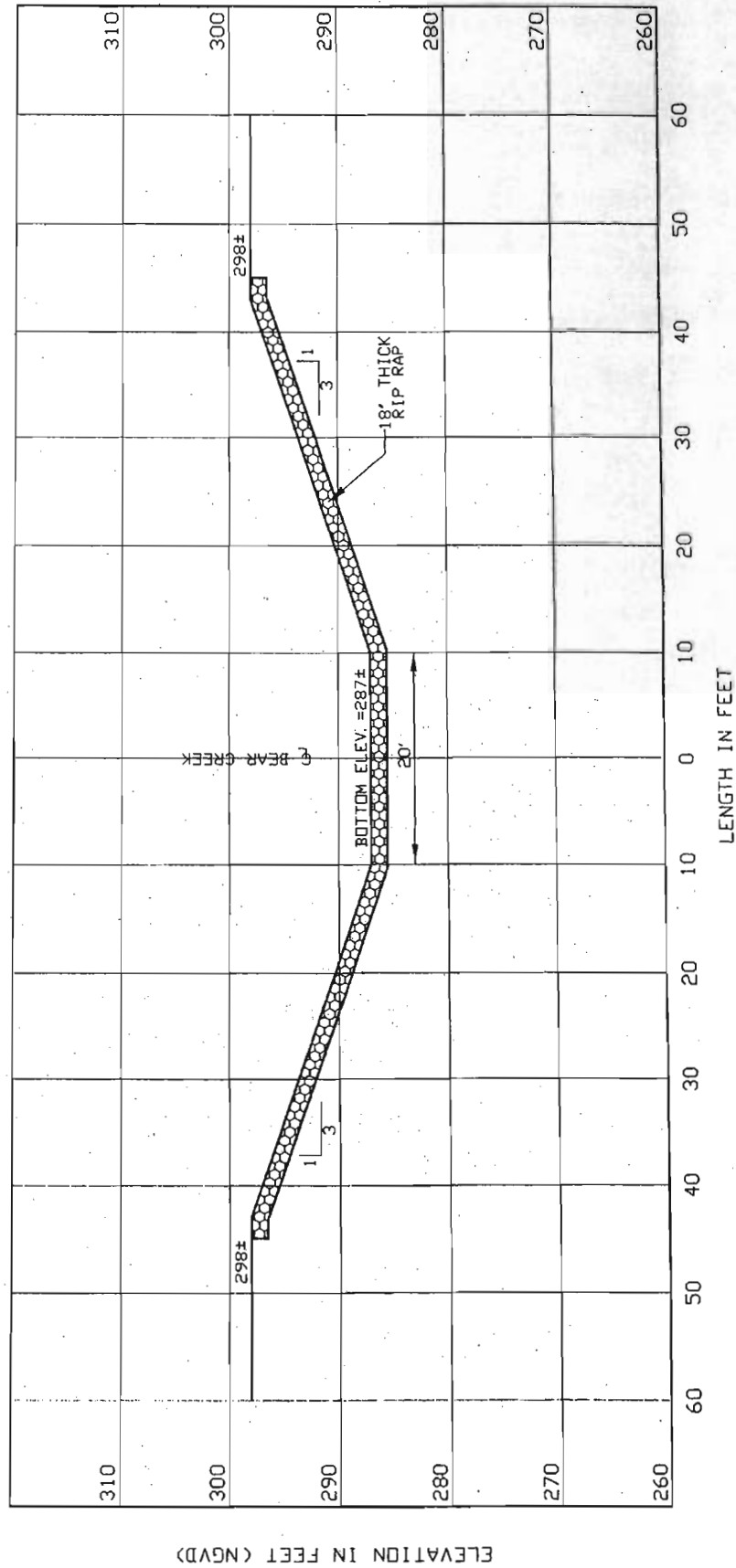
SUNRAY COMPANIES
MR RAY HARRIGILL



SHEET NO. 146 PREPARED BY: SCALE: 1" = 100' DATE: AUGUST, 2008 PROJECT NO. C-2008-146	SITE PLAN	BELLMARE RESIDENTIAL DEVELOPMENT MADISON COUNTY, MS	 654 WILSON DRIVE MEMPHIS, TN 38117 TEL: (901) 988-1155 FAX: (901) 988-5119 MENDROP-WAGES
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SUNRAY COMPANIES
MR RAY HARRIGILL



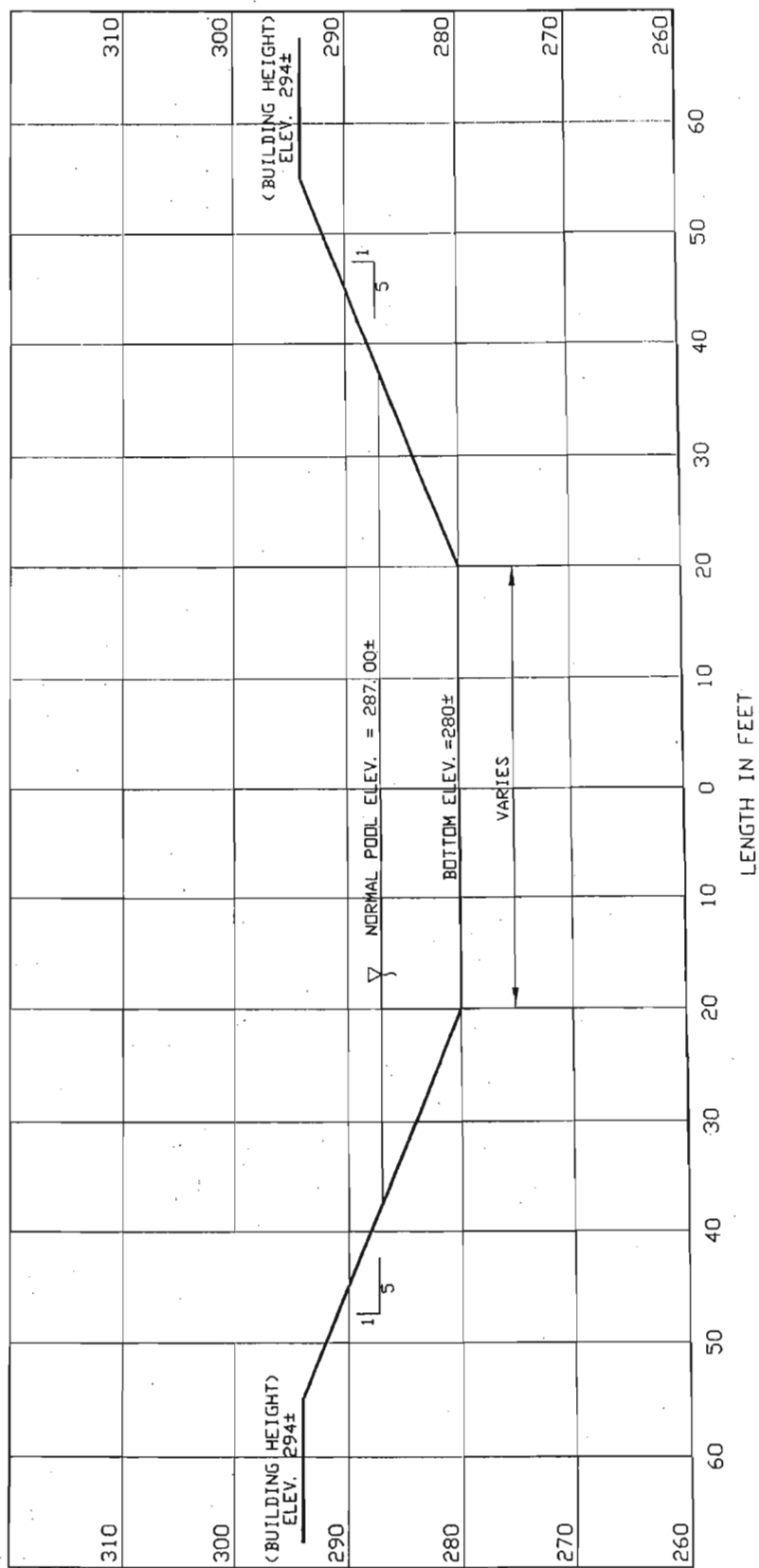
SCALE
1" = 10' HORIZ.
1" = 10' VERT.

TYPICAL DITCH SECTION
(SECTION 38.694 TO SECTION 38.743)

SETHI LAKE - BOZEMAN ROAD

CEMVK-OD-FE KNG-MVK-2002-207

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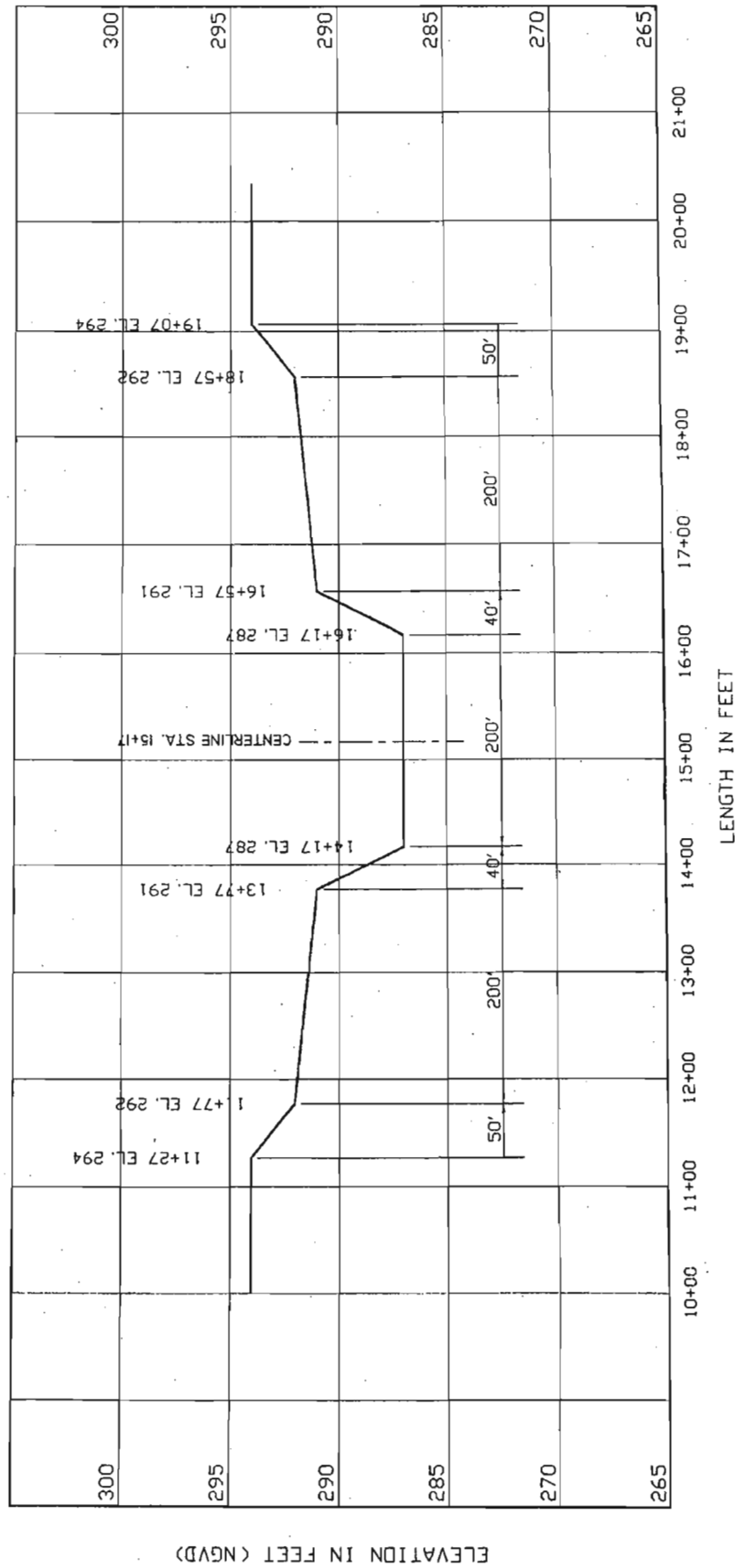
TYPICAL LAKE SECTION
 (SECTION 38.202 TO SECTION 38.694)

SETHI LAKE - BOZEMAN ROAD
 MADISON COUNTY, MISSISSIPPI

SCALE
 1" = 10' HORZ.
 1" = 10' VERT.
 9-7-00

CEMVK-OD-FE KNG-MVK-2002-207

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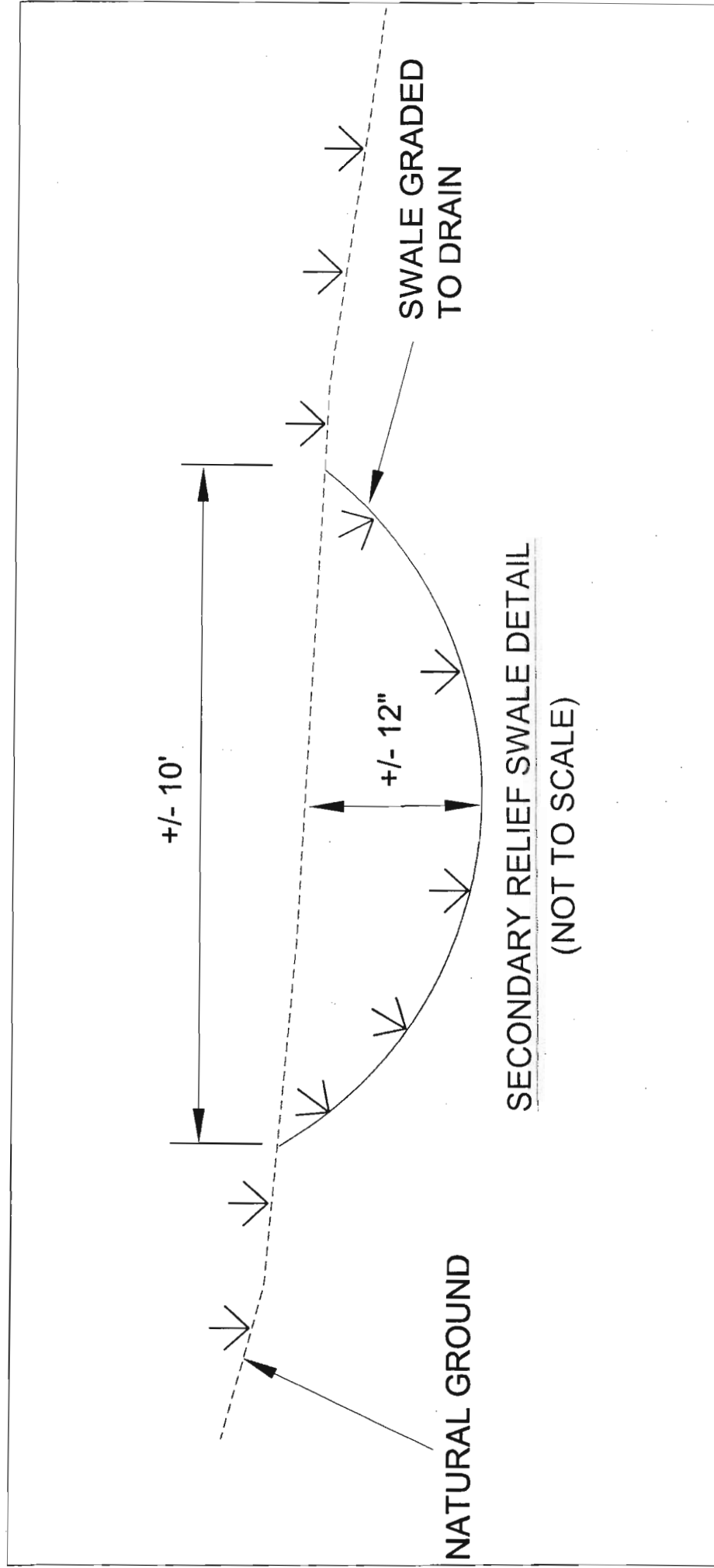


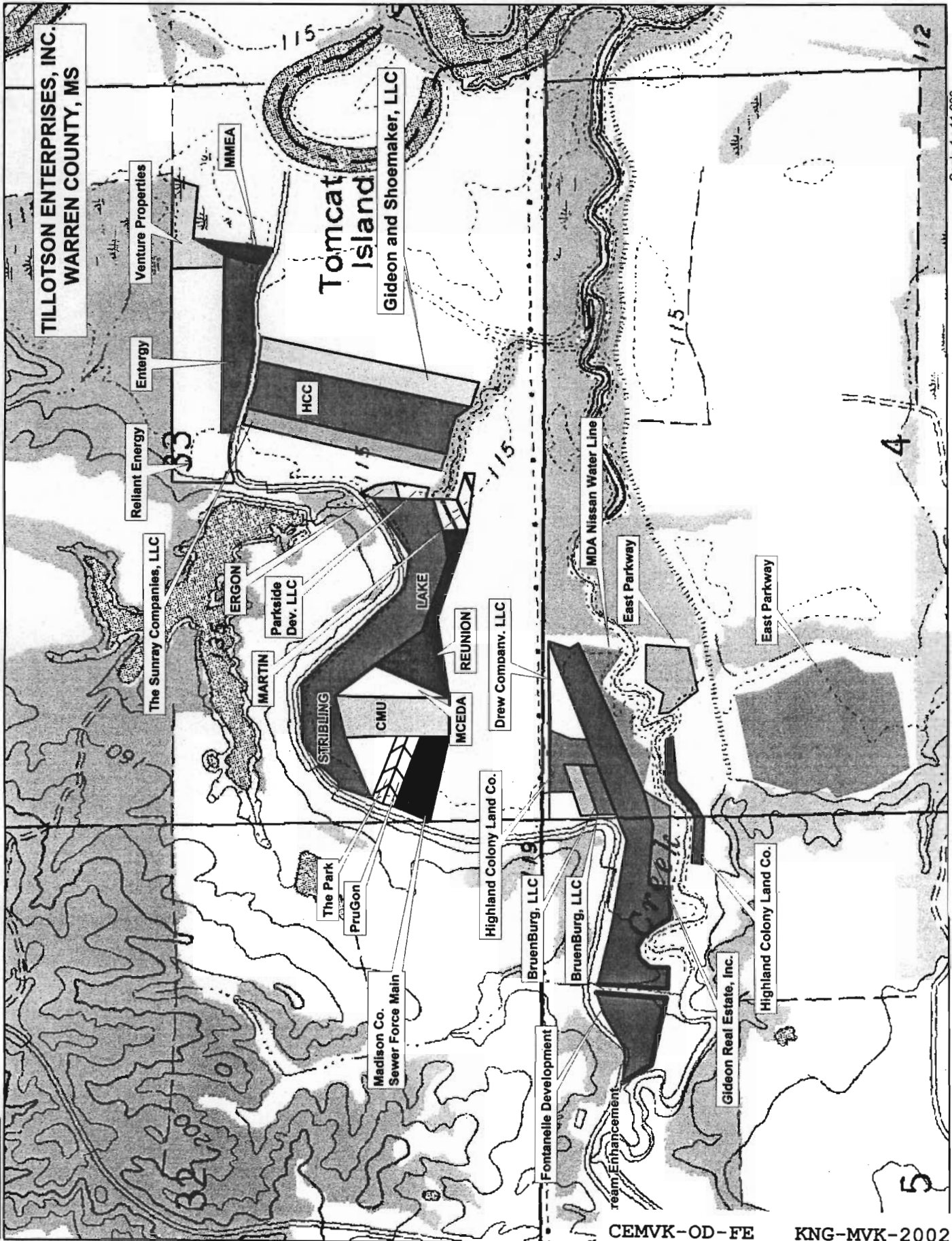
SCALE
1" = 100'
1" = 5'
9-7-00

TYPICAL SPILLWAY SECTION
(SECTION 38.196 TO SECTION 38.202)
SETHI LAKE - BOZEMAN ROAD
MADISON COUNTY, MISSISSIPPI

CEMVK-OD-FE KING-MVK-2002-207

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PROPOSED MITIGATION SITE

use subject to license.
J4 Delorme. XMap® 4.5.
delorme.com

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MR RAY HARRIGILL